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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/628,044	07/26/2003	David A. Jackson	66396-059	8751

7590 06/21/2006

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EXAMINER	
ARTHUR JEANGLAUD, GERTRUDE	

ART UNIT	PAPER NUMBER
3661	

DATE MAILED: 06/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/628,044	JACKSON ET AL.	
	Examiner	Art Unit	
	Gertrude Arthur-Jeanglaude	3661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *4/7/06*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-26* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 9, 15, 24-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Larson et al. (U.S. Patent No. 6,370,455).

As to claims 1, 9, 15, 24-26, Larson et al. disclose in (figure 1) a diagnostic system for a wheel alignment system (herein after referred to as "the instrument") comprising method and apparatus to gather real-time data from the instrument (See at least col. 8, lines 6-11, lines 14-15, lines 18-22, lines 33-34); storing the gathered data associated with the instrument (col. 8, line 34 discloses making "..log files for performing error-detection.."; suggesting storing of data); and data replay for playing back the stored data (to diagnose the instrument) (See at least col. 8, lines 5-64) (See display) .

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

> the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 2-8, 10-14, 16-21, 22, 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Larson et al. (U.S. Patent No. 6,370,455) in view of Jackson et al. (U.S. Patent No. 5,809,658).

As to claims 2-8, 10-14, 16-21, 22, 23, Larson discloses a diagnostic system to diagnose a wheel alignment system (herein after referred to as "the instrument". Larson does not teach that the diagnosis system uses cameras and that the real time data re images. In an analogous art, Jackson et al. teach a wheel alignment system which uses cameras and mirrors to perform the alignment task (See at least Fig.2). Fig. 2 also clearly shows a camera (30) data is fed into the computer (32) which displays the received data on display (34). As Jackson teaches a "typical wheel alignment system" (See applicant's admitted prior art at page 2 of the specification) and sending real time data to a computer; it would have been obvious to one of ordinary skill in the art at the time of the invention that at least part of the real time data transmitted and received by Larson et al. (also using a typical wheel alignment system) was obtained by optical means and presented during the analysis as images.

Response to Arguments

Applicant's arguments filed 4/7/06 have been fully considered but they are not persuasive.

REMARKS

In response to Applicant's representative arguments, at page 2 stating "it is inferred in the office action that the phrase "log files for performing error-detection (at

line 34), " coupled with the description of detection of an error condition during analysis (in the next full paragraph), connotes playback of real time data. It is clearly stated in the office action that the term program log files is suggesting storing of data. Furthermore, Applicant's representative argues that there is no explicit description of a replay system for playing back the real-time data associated with the instrument, as required by claim 1. Examiner respectfully disagrees because the office action states that data replay at col. 8, lines 5-64 is used for playing back stored data and is therefore a replay system in real time using the display.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gertrude Arthur-Jeanglaude whose telephone number is (571) 272-6954. The examiner can normally be reached on Monday-Friday from 8:30 a.m. to 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Gertrude A. Jeanglaude
GERTRUDE A. JEANGLAUDE
PRIMARY EXAMINER

GAJ
GAJ
June 19, 2006